

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT TACOMA

UNITED STATES OF AMERICA,

Plaintiff,

v.

ZOLTAN BIRO,

Defendant.

Case No. CR89-71T

ORDER DENYING MOTION FOR
EARLY TERMINATION OF
SUPERVISED RELEASE

Defendant Biro was sentenced to 170 months with five years supervised release for conspiracy to distribute and distribution of Cocaine following his plea. Biro was indicted with sixteen other individuals and received a two-point aggravating enhancement for his managerial role in the scheme. Biro began the supervised release portion of his sentence in April 2004, and now moves for early termination for the reasons that he has complied with the terms of his supervised release, has committed no violations, has satisfied all financial obligations, has a stable residence, and has worked continuously at the same job. Biro has been employed at the Newport Beach Tennis Club since he was in the halfway house at the close of his prison term, and has worked his way up to the position of Facilities Manager. Biro's employer writes in support of the motion for early termination of supervised release and states that the Newport Beach Tennis Club limits any further official advancement for Biro because of his current parole status.

1 The United States Probation Office has responded setting forth the relevant history of this
2 case and citing the relevant statutory authority as well as referencing the Federal Supervision
3 Monograph. Title 28 U.S.C. § 994(h) provides that drug offenders should not be considered for
4 early termination.

5 Considering Defendant's aggravated role in the drug offense, that the offense is one for
6 which early termination is discourage, and that he is only a little over two years into his supervised
7 release period, early termination is inappropriate.

8 ACCORDINGLY, IT IS ORDERED: Defendant's Motion for Early Termination of
9 Supervised Release [Dkt. # 524] is DENIED.

10
11 DATED this 20th day of July, 2006.

12
13 

14 FRANKLIN D. BURGESS
15 UNITED STATES DISTRICT JUDGE
16
17
18
19
20
21
22
23
24
25